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GEOFFREY G. WHY
COMMISSIONER

July 17, 2012

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Ex Parte Notice

In the Matter of Empowering Consumers to Prevent and Detect Billing for Unauthorized Charges ("Cramming"); Consumer Information and Disclosure; Truth-in-Billing and Billing Format, CG Docket Nos. 11-116, 09-158, CC Docket No. 98-170;

In the Matter of Universal Service Contribution Methodology; A National Broadband Plan for Our Future, WC Docket No. 06-122 and GN Docket No. 09-51; and

In the Matter of Lifeline and Link Up Reform and Modernization; Lifeline and Link Up; Federal-State Joint Board on Universal Service; Advancing Broadband Availability Through Digital Literacy Training, WC Docket Nos. 11-42, 03-109, CC Docket No. 96-45, WC Docket No. 12-23.

Dear Ms. Dortch:

On Friday, July 13, 2012, Massachusetts Department of Telecommunications and Cable (MDTC) Commissioner Geoffrey G. Why and Deputy General Counsel Kalun Lee met with Chief Julie Veach and Deputy Chiefs Carol Mattey and Lisa Gelb of the Wireline Competition Bureau, and Acting Division Chief Kurt Schroeder of the Consumer Policy Division.

Commissioner Why raised points consistent with the MDTC's June 25, 2012 cramming comments filed in the above-referenced dockets. Specifically, Commissioner Why observed that Massachusetts consumers are best served by technology-neutral cramming rules. Commissioner Why also encouraged the FCC to require free third-party blocking and to spearhead a "Do-Not-Cram" registry for third-party charges, similar to the "Do-Not-Call" registry.

Ms. Marlene Dortch

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In addition, Commissioner Why discussed the Commission's review of its Universal Service Fund (USF) contribution methodology. Commissioner Why advocated for revision of FCC Form 499 to obtain more granular data regarding state contributions, which would allow the states to determine whether all stakeholders were fairly contributing to the USF. Commissioner Why also encouraged the FCC to prohibit all Lifeline eligible telecommunications carriers (ETCs) from passing along to their Lifeline consumers the obligation to contribute to the USF. These comments are consistent with the MDTC comments filed in the above-referenced contributions dockets on July 9, 2012.

Commissioner Why also discussed the FCC's Lifeline Broadband pilot program ("Pilot Program"). Commissioner Why shared that MDTC had held a teleconference with Virgin Mobile regarding its application for the Pilot Program. The Commissioner noted that the MDTC had some questions regarding Virgin Mobile's application. Those questions concerned the broadband service plans and data cap, the number of Massachusetts consumers involved, anonymized data to be shared with the MDTC, ETC state compliance, digital literacy partnerships, consumer outreach, and program costs and revenues. Commissioner Why also observed that TracFone had filed an application that briefly referenced Massachusetts service. He noted that the MDTC is evaluating the Virgin Mobile and TracFone applications which are filed in the above-referenced Lifeline dockets.

Finally, Commissioner Why mentioned to the FCC Staff that on the issue of 911 services, it is imperative for a robust 911 system to have good service quality. Commissioner Why may return in August to further discuss the issue with FCC staff.

Pursuant to Section 1.1206 of the Commission's rules, this notice is being filed electronically via ECFS with your office. Please contact Karlen Reed directly at (617) 368-1101 should you have any questions.

Sincerely,

/s/ Karlen Reed

Karlen Reed, Competition Director

Massachusetts Department of
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KJR/kr

cc: Julie Veach
Carol Matthey
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